

From: Thomas Tully
Date: 1/28/02 3:43pm
Subject: Microsoft Case

January 28, 2002<?xml:namespace prefix = o ns = "urn:schemas-microsoft-com:office:office" />

Renata B. Hesse

Antitrust Division

U.S. Department of Justice

601 D Street, NW

Suite 1200

Washington, DC 20530-0001

To Whom It May Concern:

I hope that you will reconsider the decision to settle the United States Department of Justice antitrust lawsuit against Microsoft Corporation. American consumers may have been overcharged \$20 billion by the Microsoft monopoly. Your agreement with Bill Gates' company does nothing to rectify past sins by this company or protect against future gauging.

As you know, at least ten consumer groups disagree with your agreement to settle. Microsoft has little incentive to change any of its practices. Their concessions of handing over some operating systems code and offering manufacturers some sovereignty over Media Player amounts to little more than a light slap on the wrists for a multi-billion dollar company.

I am proud that my state's Attorney General, Tom Miller, rejected this Microsoft agreement. I believe that Mr. Miller and the other eight state attorneys general see the many loopholes and problems with enforcement that does little to affect change in the computer software industry. Splitting Microsoft into two or three companies may not be the proper response, but neither is this.

Your decision to prematurely end litigation against Microsoft is a mistake. The agreement offers no real incentive to stop monopolistic, anti-trust efforts. It won't help much smaller companies compete and it doesn't serve the American consumer. Please continue to go after Microsoft. It is a duty of the Justice Department to protect the average citizen from companies that have grown too large and too powerful by questionable business practices.

Sincerely,

Thomas P. Tully

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CC: Iowa Attorney General

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